

**ZONING STAFF REPORT**

**DRAFT**

**DOCKET #**

**L-077**

**STAFF**

J. Martin Myers, AICP

Petitioner(s):

Mr. Michael and Carrie Hansley  
6056 Richmond Oaks Road  
Tobaccoville, North Carolina 27050

Ownership:

Same

**REQUEST**

From:

LD1-S (Lewisville Downtown 1 District) Special Use  
to LD1-S (Lewisville Downtown 1 District) Special Use as  
Amended

Acreage:

**0.68** acres

**LOCATION**

PIN# **5875-96-6533**

Block #4422 Lot #015, Lewisville Township, Forsyth  
County

Street:

6606 Shallowford Road, Lewisville located approximately  
220' West of the Arrow Leaf Drive intersection

Jurisdiction:

Town of Lewisville (Downtown Core)

Square Footage:

Existing building being used for non-residential purposes –  
1,240 total sf; 760sq.ft. Downstairs - 480sq.ft. Upstairs

Parking:

Parking provided meets parking requirements with a  
previously allowed thirty (30%) percent reduction within  
the LD1-S zoning district.

Landscaping Standards:

No additional landscaping is proposed at this time. This  
review is to determine the appropriateness of a site plan  
amendment to place a wood fence in the front yard area of  
the property.

**PROPERTY SITE/IMMEDIATE AREA**

Existing Structures on Site: One (1) story frame structure (1935) built for residential use (to be re-purposed and retained for an adaptive non-residential use) with a small garage behind the business to be retained.

Adjacent Uses:

North: Vacant lot that is partially wooded  
East: LD1-S Business Site  
South: Vacant parcel that is zoned RS-20  
West: LD1-S Business Site

**GENERAL AREA**

Character/Maintenance: The site lies within an area of Shallowford Road (running east/west) which is transitioning from a traditional residential area to a mix of commercial and new office uses.

**PHYSICAL FEATURES**

Topography: The site is relatively level from its frontage on Shallowford Road to the rear of the site.

Vegetation/habitat: The applicant continues to work around and maintain several large variety trees and other smaller plantings on the site.

**TRANSPORTATION**

Direct Access to Site: The original residential driveway cut was modified to accept commercial (non-residential) traffic from Shallowford Road.

Street Classification: Shallowford Road – Major thoroughfare  
Average Daily Traffic Count/Estimated Capacity at Level of Service C (Vehicles per Day):  
Shallowford Road west of Lewisville-Clemmons Road – 16,700+/- vpd

Sight Distance: Sight distance onto Shallowford from the driveway on Shallowford Road is currently good. Given the potential for

a future fence to be opaque, it is suggested that all fencing be placed behind the right-of-way line and out of the sight distance area for the existing driveway.

## **CONFORMITY TO PLANS**

### *Lewisville Comprehensive Plan Update 2010*

The site lies within an area designated as the “Downtown Core Area;” a diverse mix of uses in the downtown is recommended. Specific recommendations include encouraging the creation of niche type boutique businesses and enhancing the visual quality of downtown through the implementation of design guidelines and other corridor improvements. The applicant is encouraged to construct all improvements in accordance with existing overlay and zoning requirements.

### *Legacy Development Guide*

#### GMA 3 – City/Town Centers

Recommendations: The promotion of successful town center development in smaller towns in Forsyth County, including development of design guidelines for buildings, parking, sidewalks, and public spaces to create viable town centers.

## **ANALYSIS**

The *Lewisville Comprehensive Plan Update 2010* designates the site as “Downtown Core Area”, in which a variety of uses are encouraged. A wooden fence is allowed within the LD1-S zoning district and should enhance the overall aesthetic of the property as viewed from the corridor.

## **CASE HISTORY**

The site is currently zoned LD1-S and has a number of allowed uses that were approved for the site when it was originally rezoned (**L-044**) in July, 2005. The applicant asked that the number of new uses be permitted (**L-073**) to allow for retailing, miscellaneous office and possibly mixed residential use. This site plan amendment (to allow fencing in the front yard area) is viewed as an accessory to the pet supply business that currently occupies the site.

With these findings and suggestions, staff feels that the proposed amendment complies with the Town’s objectives contained in the *Comprehensive Plan Update* and its downtown planning and ordinances.

**FINDINGS**

1. The applicant requests a site plan amendment to allow for the construction of a new wooden fence in the front yard area of the property.
2. The fencing requested complies with the design and materials recommendations contained in the Town's *UDO and Downtown Overlay requirments*.

**STAFF ECOMMENDATION**

Zoning:           CONDITIONAL APPROVAL

Site Plan:       APPROVED

**PLANNING BOARD RECOMMENDATION**

Zoning:           CONDITIONAL APPROVAL (As Amended)

Site Plan:       APPROVED

**RECOMMENDED CONDITIONS**

*Prior to Issuance of Zoning or Building Permits and Certificates of Occupancy:*

- a)     Use of the fenced in area shall be supportive of and accessory to the primary business and shall not create nuisances to adjoining properties (noise, odor or visual) or the balance of the downtown district.
- b)     No outdoor storage shall be permitted within the area to be enclosed by the proposed wood fencing.
- c)     All pre-existing zoning violations are to be remedied to the satisfaction of town staff before Building Permits and/or Certificates of Occupancy will be issued.
- d)     All applicable building and public safety codes relative to the re-purposing /upfit of the structure shall comply will all local, state and federal requirements.
- e)     The new fencing must be kept in good repair.
- f)     The fence shall be not taller than four (4') feet in height and if painted, only the colors white or black shall be permitted.

